

## § 20.305

## 33 CFR Ch. I (7–1–12 Edition)

TABLE 20.304(g)—WHEN SERVICE IS COMPLETE—Continued

If method of service used is—	Then service is complete when the document is—
(3) Certified Mail or express-courier (Complaint or Default Motion).	(i) Delivered to the person's residence and signed for by a person of suitable age and discretion residing at the individual's residence. (ii) Delivered to the person's office during business hours and signed for by a person of suitable age and discretion.
(4) Mail or express-courier service (all other filed documents).	(i) Mailed (postmarked). (ii) Deposited with express-courier service.
(5) Fax or other electronic means.	Transmitted.

(h) If a person refuses to accept delivery of any document or fails to claim a properly addressed document other than a complaint sent under this subpart, the Coast Guard considers the document served anyway. Service is valid at the date and the time of mailing, of deposit with a contract service or express-courier service, or of refusal to accept delivery.

[CGD 98-3472, 64 FR 28062, May 24, 1999; 64 FR 34540, June 28, 1999, as amended by USCG-2000-7223, 65 FR 40054, June 29, 2000]

### § 20.305 Amendment or supplementation of filed documents.

(a) Each party or interested person shall amend or supplement a previously filed pleading or other document if she or he learns of a material change that may affect the outcome of the administrative proceeding. However, no amendment or supplement may broaden the issues without an opportunity for any other party or interested person both to reply to it and to prepare for the broadened issues.

(b) The ALJ may allow other amendments or supplements to previously filed pleadings or other documents.

(c) Each party or interested person shall notify the Hearing Docket Clerk, the ALJ, and every other party or interested person, or her or his representative, of any change of address.

### § 20.306 Computation of time.

(a) We compute time periods as follows:

(1) We do not include the first day of the period.

(2) If the last day of the period is a Saturday, Sunday, or Federal holiday, we extend the period to the next business day.

(3) If the period is 7 days or less, we do not include Saturdays, Sundays, or Federal holidays.

(b) If you were served a document (by domestic mail) that requires or permits a response, you may add 3 days to any period for response.

(c) If you need additional time to file a response, follow the rules in these tables.

(1) You may request an extension—

TABLE 20.306(c)(1)—HOW TO REQUEST AN EXTENSION

If the response period—	By—
Has not expired .....	Telephone, letter, or motion.
Has expired .....	Only by motion describing why the failure to file was excusable.

(2) You file your request as follows:

TABLE 20.306(c)(2)—WHERE TO FILE AN EXTENSION REQUEST

If—	Then you file your request with the—
An ALJ has not been assigned .....	Hearing Docket Clerk.
An ALJ has been assigned .....	ALJ.
Your case is on appeal .....	Hearing Docket Clerk.

### § 20.307 Complaints.

(a) The complaint must set forth—

(1) The type of case;

(2) The statute or rule allegedly violated;

(3) The pertinent facts alleged; and

(4)(i) The amount of the class II civil penalty sought; or

(ii) The order of suspension or revocation proposed.

(b) The Coast Guard shall propose a place of hearing when filing the complaint.

(c) The complaint must conform to the requirements of this subpart for filing and service.

### § 20.308 Answers.

(a) The respondent shall file a written answer to the complaint 20 days or less after service of the complaint. The